

**SB2799**



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**SB2799**

Introduced 1/20/2006, by Sen. Donne E. Trotter

**SYNOPSIS AS INTRODUCED:**

225 ILCS 25/18

from Ch. 111, par. 2318

305 ILCS 5/5-5.25 new

Amends the Illinois Dental Practice Act and the Illinois Public Aid Code. Provides that a dental hygienist may, without supervision, provide services to Medicaid eligible patients and may be directly reimbursed by Medicaid.

LRB094 19037 RAS 54532 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Dental Practice Act is amended by  
5 changing Section 18 as follows:

6 (225 ILCS 25/18) (from Ch. 111, par. 2318)

7 (Section scheduled to be repealed on January 1, 2016)

8 Sec. 18. Acts constituting the practice of dental hygiene;  
9 limitations.

10 (a) A person practices dental hygiene within the meaning of  
11 this Act when he or she performs the following acts under the  
12 supervision of a dentist:

13 (i) the operative procedure of dental hygiene,  
14 consisting of oral prophylactic procedures;

15 (ii) the exposure and processing of X-Ray films of  
16 the teeth and surrounding structures;

17 (iii) the application to the surfaces of the teeth  
18 or gums of chemical compounds designed to be  
19 desensitizing agents or effective agents in the  
20 prevention of dental caries or periodontal disease;

21 (iv) all services which may be performed by a  
22 dental assistant as specified by rule pursuant to  
23 Section 17;

24 (v) administration and monitoring of nitrous oxide  
25 upon successful completion of a training program  
26 approved by the Department;

27 (vi) administration of local anesthetics upon  
28 successful completion of a training program approved  
29 by the Department; and

30 (vii) such other procedures and acts as shall be  
31 prescribed by rule or regulation of the Department.

32 (b) A dental hygienist may be employed or engaged only:

1 (1) by a dentist;

2 (2) by a federal, State, county, or municipal agency or  
3 institution;

4 (3) by a public or private school; or

5 (4) by a public clinic operating under the direction of  
6 a hospital or federal, State, county, municipal, or other  
7 public agency or institution.

8 (c) When employed or engaged in the office of a dentist, a  
9 dental hygienist may perform, under general supervision, those  
10 procedures found in items (i) through (iv) of subsection (a) of  
11 this Section, provided the patient has been examined by the  
12 dentist within one year of the provision of dental hygiene  
13 services, the dentist has approved the dental hygiene services  
14 by a notation in the patient's record and the patient has been  
15 notified that the dentist may be out of the office during the  
16 provision of dental hygiene services.

17 (d) If a patient of record is unable to travel to a dental  
18 office because of illness, infirmity, or imprisonment, a dental  
19 hygienist may perform, under the general supervision of a  
20 dentist, those procedures found in items (i) through (iv) of  
21 subsection (a) of this Section, provided the patient is located  
22 in a long-term care facility licensed by the State of Illinois,  
23 a mental health or developmental disability facility, or a  
24 State or federal prison. The dentist shall personally examine  
25 and diagnose the patient and determine which services are  
26 necessary to be performed, which shall be contained in an order  
27 to the hygienist and a notation in the patient's record. Such  
28 order must be implemented within 120 days of its issuance, and  
29 an updated medical history and observation of oral conditions  
30 must be performed by the hygienist immediately prior to  
31 beginning the procedures to ensure that the patient's health  
32 has not changed in any manner to warrant a reexamination by the  
33 dentist.

34 (e) School-based oral health care, consisting of and  
35 limited to oral prophylactic procedures, sealants, and  
36 fluoride treatments, may be provided by a dental hygienist

1 under the general supervision of a dentist. A dental hygienist  
2 may not provide other dental hygiene treatment in a  
3 school-based setting, including but not limited to  
4 administration or monitoring of nitrous oxide or  
5 administration of local anesthetics. The school-based  
6 procedures may be performed provided the patient is located at  
7 a public or private school and the program is being conducted  
8 by a State, county or local public health department initiative  
9 or in conjunction with a dental school or dental hygiene  
10 program. The dentist shall personally examine and diagnose the  
11 patient and determine which services are necessary to be  
12 performed, which shall be contained in an order to the  
13 hygienist and a notation in the patient's record. Any such  
14 order for sealants must be implemented within 120 days after  
15 its issuance. Any such order for oral prophylactic procedures  
16 or fluoride treatments must be implemented within 180 days  
17 after its issuance. An updated medical history and observation  
18 of oral conditions must be performed by the hygienist  
19 immediately prior to beginning the procedures to ensure that  
20 the patient's health has not changed in any manner to warrant a  
21 reexamination by the dentist.

22 (f) Without the supervision of a dentist, a dental  
23 hygienist may perform dental health education functions and may  
24 record case histories and oral conditions observed.

25 (g) The number of dental hygienists practicing in a dental  
26 office shall not exceed, at any one time, 4 times the number of  
27 dentists practicing in the office at the time.

28 (h) A dental hygienist may, without supervision, provide  
29 services, including, but not limited to, oral prophylactic  
30 procedures, sealants, and fluoride treatments, to Medicaid  
31 eligible patients and may be directly reimbursed by Medicaid.

32 (Source: P.A. 93-113, eff. 1-1-04; 93-821, eff. 7-28-04.)

33 Section 10. The Illinois Public Aid Code is amended by  
34 adding Section 5-5.25 as follows:

1 (305 ILCS 5/5-5.25 new)

2 Sec. 5-5.25. Reimbursement of dental hygienists. A  
3 licensed dental hygienist who provides services to Medicaid  
4 eligible patients, as set forth in subsection (h) of Section 18  
5 of the Illinois Dental Practice Act, may be directly reimbursed  
6 through Medicaid funds.